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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,222	09/15/2003	Hideki Nakamura	117177	9123
25944 7590 01/03/2007 OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			EXAMINER GESESSE, TILAHUN	
			ART UNIT 2618	PAPER NUMBER
			MAIL DATE 01/03/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/662,222	NAKAMURA, HIDEKI	
	<b>Examiner</b>	<b>Art Unit</b>	
	Tilahun B. Gesessse	2618	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 9/29/06
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3 and 5-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,5-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____                                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____   | 6) <input type="checkbox"/> Other: ____                           |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's response to the office action is as follows:

Claims 1, 3, 5-9 have been amended.

Claims 2 and 4 have been canceled.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1, 3, 5-9 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reitmeier (US 6,118,498) in view of Shadwall et al (Shadwell) (US 6,542,203).

Claim 1, Reitmeier teaches a digital broadcast receiving apparatus (see abstract and figure 1, in which an information stream receiver, receives modulated signals such as an MPEG, see column 2, lines 19-21) comprising:

Reitmeier teaches a tuner (10A or 10B of figure 1) for receiving a coded digital broadcast signal wherein the tuner scans carrier frequencies of the digital broadcast

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signal to receive a first carrier frequency (see column 2, lines 21-32, column 3, lines 40-57, column 4, lines 1-9 and abstract).

Reitmeier teaches a decoding unit (45 and 60 of figure 1) for decoding and outputting the received digital broadcast signal at the first carrier frequency (see column 4, lines 10-20 and lines 43-49 and figure 1).

Reitmeier teaches an extraction unit for extracting service information of each of the plurality of channels from the decoded digital broadcast signal at the first carrier frequency and a memory(34) for storing the extracted service information wherein after the memory stores the extracted service information the tuner scans (150 and 200) the carrier frequencies to receive frequency (see abstract, column 4, lines 10-20, column 9, line 1-column 10, line 27 and figure 1) .

Reitmeier does not teach the second carrier frequency different from the first carrier frequency . however, Shadwell teaches a method of receiving and demodulating a plurality of digital signals transmitted in different respective carrier frequencies and a digital receiver for receiving and demodulating a plurality of digital signals (carrier frequencies) (see abstract and figures 1-2) in which carrier frequency broadcast via satellite receives satellite receiver and carrier frequency from local TV stations, receives at the integrated digital receiver. Both Reitmeier and Shadwell teach digital broadcast receives, then, it would have been obvious to an ordinary skill in the art at the time of the invention was made to receive different carrier frequency , in the Reitmeier system, as evidenced by Shadwell, in order to retrieve addition system information with different carrier frequency than the first carrier frequency.

Claim 9, Reitmeier teaches a method for receiving a digital broadcast (see abstract and figure 1, in which an information stream receiver , receives modulated signals such as an MPEG, see column 2, lines 19-21) comprising:

Reitmeier teaches a tuner (10A or 10B of figure 1) for receiving a coded digital broadcast signal wherein the tuner scans carrier frequencies of the digital broadcast signal to receive a first carrier frequency (see column 2, lines 21-32, column 3, lines 40-57, column 4, lines 1-9 and abstract).

Reitmeier teaches a decoding unit (45 and 60 of figure 1) for decoding and outputting the received digital broadcast signal at the first carrier frequency (see column 4, lines 10-20 and lines 43-49 and figure 1).

Reitmeier teaches an extraction unit for extracting service information of each of the plurality of channels from the decoded digital broadcast signal at the first carrier frequency and a memory for storing the extracted service information wherein after the memory stores the extracted service information the tuner scans the carrier frequencies to receive frequency (see abstract, column 4, lines 10-20, column 9, line 1-column 10, line 27) .

Reitmeier does not teach the second carrier frequency different from the first carrier frequency . however, Shadwell teaches a method of receiving and demodulating a plurality of digital signals transmitted in different respective carrier frequencies and a digital receiver for receiving and demodulating a plurality of digital signals (carrier frequencies) (see abstract and figures 1-2) in which carrier frequency broadcast via satellite receives satellite receiver and carrier frequency from local TV stations, receives

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at the integrated digital receiver. Both Reitmeier and Shadwell teach digital broadcast receives, then, it would have been obvious to an ordinary skill in the art at the time of the invention was made to receive different carrier frequency , in the Reitmeier system, as evidenced by Shadwell, in order to retrieve addition system information , with different carrier frequency than the first carrier frequency.

5. Claims 3,5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reitmeier and Shadwell as applied to claims 1 and 9 above, and further in view of Kanemitsu (US 6,928,265).

Claim 3,5,7-8, Reitmeier does not teach the service information is a plurality of pieces of service information and each of the channels contains a plurality of services.

However, Kanemitsu teaches service information is a plurality of pieces of service information (see column 5, line 60-column 6, line 13).

It would have been obvious to an ordinary skill in the art at the time of the invention was made to receive plurality of pieces of information, in Reitmeier system, as evidenced by Kanemitsu, in order to enhance ease of receiving the supplemental information and facilitate manipulation for selecting a program using the supplemental information.

Claim 6, Reitmeier teaches a storage selection unit for selecting as to whether or not to store temporary service information into the memory; and a second storage unit, which stores the temporary service information into the memory when the storage

selection unit selects to store the temporary service information into the memory (see items 34 of figure 1).

### **Conclusion**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 571-272-7879. The examiner can normally be reached on flexible schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on 571-272-7899.

The Central FAX Number is 571-273-8300. For patent related correspondence, hand carry deliveries must be made to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), and facsimile transmissions must be sent to the Central FAX number, unless an exception applies.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

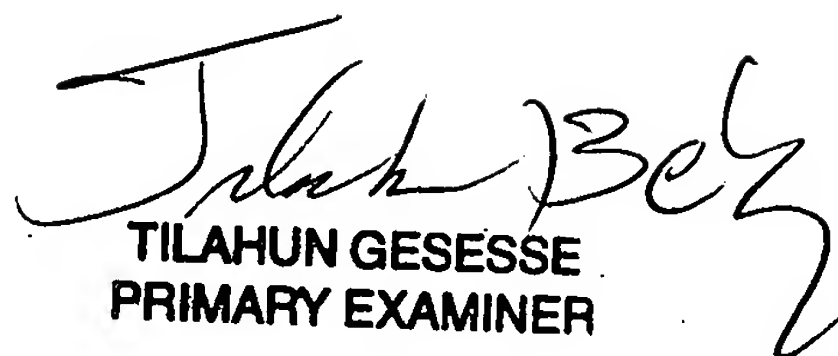
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12/18/06

  
TILAHUN GESESSE  
PRIMARY EXAMINER